



Post-Reauthorization SBIR Technology Infusion

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Overview

- SBIR Reauthorization – December 2011
- Small Business Administration's (SBA's) SBIR and STTR Policy Directives
- Reauthorization's Potential New Tools for Infusion and Commercialization
- Implementing the Reauthorization (per Sean Greene, SBA)
- Summary: Next Things to Watch For
- Websites for Additional Information
- Note on 2012 NASA SBIR Solicitation Release Date
- NASA and JPL SBIR Points of Contact



The Recent SBIR Reauthorization

- On 12/31/2011, the Federal SBIR Program was reauthorized through 9/30/2017 as part of the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540; Public Law No. 112-81.
- Full text is at the Library of Congress website,
<http://thomas.loc.gov/home/thomas.php>
 - Search Bill Summary and Status: Select “Bill Number” and input H.R. 1540
 - Click on “Text of Legislation”
 - Select the most recent version [H.R. 1540.ENR] to download a PDF.
 - In the PDF, navigate to Division E – SBIR and STTR Reauthorization
 - Subtitle A – Reauthorization of the SBIR and STTR Programs
 - **Subtitle B – Outreach and Commercialization Initiatives**
 - Subtitle C – Oversight and Evaluation
 - Subtitle D – Policy Directives
 - Subtitle E – Other Provisions



SBA's SBIR and STTR Policy Directives

- Per the Reauthorization, Subtitle D: The U. S. Small Business Administration (SBA) has 180 days to implement **amended SBIR and STTR Policy Directives** in accordance with the reauthorization legislation.
 - The amended Policy Directives will be published in the Federal Register within 180 days of the Reauthorization enactment (original goal = 6/29/2012).
- The most current (2002) versions of these Policy Directives are at
<http://www.sbir.gov/about/sbir-policy-directive> (SBIR)
<http://www.sbir.gov/about/sttr-policy-directive> (STTR)
- The most current version, Rev. 12 (6/18/2008), of the Small Business Act (Public Law 85-536, as amended) is posted at
<http://www.sba.gov/content/small-business-act>



Why is this Important?

- Starting in 2008, there were 14 short-term extensions of the Federal SBIR/STTR Program prior to this long-term reauthorization.
- **Federal agencies participating in SBIR/STTR must follow the guidance provided by the Policy Directives.**
- The Reauthorization bill includes many program changes and additions.
 - **A number of these are potential new tools for commercialization and infusion.**
 - Some apply only to certain agencies.
 - Some items are mandatory, others are optional.
 - The updated Policy Directives are expected to spell these out.



II Federal Agencies Participate in SBIR/STTR

SBIR/STTR (Extramural R&D Budget > \$1B)

- Department of Defense (DOD) - Air Force, Army, Navy, MDA, etc.
- Department of Health & Human Services (HHS/NIH)
- National Aeronautics & Space Admin (NASA)
- Department of Energy (DOE)
- National Science Foundation (NSF)

SBIR (Extramural R&D Budget > \$100M)

- Department of Homeland Security (DHS)
- Department of Agriculture (USDA)
- Department of Commerce (DOC) – NOAA, NIST
- Environmental Protection Agency (EPA)
- Department of Transportation (DOT)
- Department of Education (ED)

Extramural R&D = agency R&D, including FFRDCs and contractor-operated facilities, but excluding government owned/operated facilities



All NASA Centers Participate in SBIR/STTR Management





Reauthorization – Technical Assistance for Awardees (Sect. 5121)

- SBIR Agencies may provide Phase I and Phase II SBIR/STTR award recipients with **optional technical assistance services**, e. g. access to a network of scientists and engineers engaged in a wide range of technologies, or access to technical and business literature via online databases.
- **Each agency may competitively select a vendor for up to a 3-year term**, to help small businesses meet these goals:
 - Making better technical decisions
 - Solving technical problems
 - Minimizing technical risks
 - Developing and commercializing new commercial products and processes
- Reauthorization bill increases award sizes from \$4K to \$5K in each Phase.
 - In Phase I: in addition to the SBIR award.
 - In Phase II: purchased by small business from its SBIR award.
- Baseline: Small Business Act, Section 9(q).



Reauthorization - Commercialization Readiness Programs

- **SBIR Civilian Agencies (Sect. 5123) – includes NASA.**
 - **Pilot program – New. Up to 3 yr duration** (per Sect. 5164).
 - Agency head may allocate up to 10% of SBIR/STTR budget for awards for technology development, testing, evaluation and commercialization assistance for Phase II technologies; or to support progress of SBIR/STTR R&D and commercialization to Phase III.
 - Intended for highly promising technologies expected to substantially enhance the agency's mission.
 - Individual awards can be up to 3X the dollar amount of the agency's Phase II individual awards.
- **SBIR DoD Agencies (Sect. 5122)**
 - Per the Small Business Act, Sect. 9(y): The Secretary of Defense and the Secretary of each military department is authorized to create and administer a “Commercialization Pilot Program” to accelerate the transition of technologies, products, and services developed under the SBIR Program to Phase III, including the acquisition process.
 - The Reauthorization **converts this program from Pilot to Readiness status.**



Reauthorization – Phase 0 Proof of Concept Partnership Pilot Program - NIH only (Sect. 5127)

- **The NIH Director may use \$5M of the agency's STTR budget for a Proof of Concept Partnership pilot program.**
 - Goal: Accelerate creation of small businesses and commercialization of research innovations from qualifying research institutions.
 - The Director shall competitively award grants to qualifying research institutions that participate in NIH STTR. Grants may be up to \$1M/yr for up to 3 yrs (per institution), with up to \$100K of this awardable per individual proposal.
 - Pilot program sunsets in 2017.



Reauthorization – Commercialization Success Criteria (Sect. 5165)

- **Head of each SBIR Agency shall establish a system to measure success, including a minimum performance standard.**
- Companies not meeting the minimum standard would be excluded from SBIR/STTR participation for 1 year.
- For small businesses in progressing from Phase I to Phase II: ref. Small Business Act section (9)(qq).
- For small businesses in progressing from Phase I to Phase III: ref. Small Business Act section (9)(cc).



“Implementing the SBIR and STTR Reauthorization: Our Plan of Attack” (Ref. I)

- There are two governing bodies of rules for SBIR/STTR, that SBA needs to modify before the Reauthorization changes can take effect.
 - **SBA size and eligibility regulations.** These broad SBA regulations define what constitutes a small business, and eligibility requirements for the SBIR and STTR programs.
 - SBA will address the reauthorization provisions relating to venture capital participation, domestic ownership, and affiliation, by modifying these regulations as they relate to SBIR and STTR.
 - **SBIR and STTR Policy Directives.** Not regulations, but they provide specific guidance to the individual agencies on how to administer the program.
 - SBA will amend these Directives to define how the provisions of the Reauthorization will be implemented.
- **SBA has responsibility for both these regulations and directives.**

Ref. I: Sean Greene, SBA Associate Administrator for Investment and Special Advisor for Innovation, published 2/21/2012, updated 4/30/2012

National Aeronautics and Space Administration

Jet Propulsion Laboratory
California Institute of Technology
Pasadena, California

<http://www.sba.gov/community/blogs/official-sba-news-and-views/open-business/implementing-sbir-and-sttr-reauthorization>



“Implementing the SBIR and STTR Reauthorization: Our Plan of Attack” (Ref. I)

- **General process:**

- SBA drafts proposed rules or amendments to the Directives. This includes consulting the the SBA Office of Advocacy.
- The proposed rules and amendments to the Directives are published in the Federal Register and posted at <http://www.Regulations.gov> for a 60-day public comment period.
- SBA reviews and considers all comments, and modifies the rules or Directives as appropriate.
- The final rules or Directives are published, including SBA’s response to comments and an effective date.

Ref. I: Sean Greene, SBA Associate Administrator for Investment and Special Advisor for Innovation, published 2/21/2012, updated 4/30/2012

<http://www.sba.gov/community/blogs/official-sba-news-and-views/open-business/implementing-sbir-and-sttr-reauthorization>



“Implementing the SBIR and STTR Reauthorization: Our Plan of Attack” (Ref. 1)

- Timeframes – Three primary paths.
 - **SBA-issued guidance to the SBIR/STTR agencies: for FY 2012, raise the set-asides to 2.6% for SBIR and 0.35% for STTR.**
 - **For all other provisions, agencies should continue to work within the existing regulations and policy directives, until those regulations are amended and the policy directive is updated.**
 - For changes in the size regulations relating to venture capital participation etc., Congress tasked SBA with issuing proposed regulations within 120 days (end of April), and final rule within one year (end of 2012).
 - The revised size regulations will take effect when they are published (target = end of 2012). The revised SBIR and STTR policy directives will take effect when SBA publishes them (target was 180 days = end of June).

Ref. 1: Sean Greene, SBA Associate Administrator for Investment and Special Advisor for Innovation, published 2/21/2012, updated 4/30/2012

<http://www.sba.gov/community/blogs/official-sba-news-and-views/open-business/implementing-sbir-and-sttr-reauthorization>



“Implementing the SBIR and STTR Reauthorization: Seeking Public Comment” (Ref. 2)

- Starting 5/16/2012, SBA solicited feedback from small businesses, investors and other stakeholders for 60 days, on the proposed amending of SBA regulations governing size and eligibility for SBIR/STTR.
- **Proposed rule addresses ownership, control and affiliation for SBIR/STTR participants.**
 - Includes participants that are majority-owned by multiple venture capital operating companies, private equity firms or hedge funds.
- SBA believes the rulemaking streamlines and simplifies eligibility requirements, while maintaining program integrity to benefit domestic small businesses.

Ref. 2: Sean Greene, SBA Associate Administrator for Investment and Special Advisor for Innovation, published 5/16/2012

<http://www.sba.gov/community/blogs/official-sba-news-and-views/open-business/implementing-sbir-and-sttr-reauthorizati-0>



“Implementing the SBIR and STTR Reauthorization: Seeking Public Comment” (Ref. 2)

- Comments should be identified by RIN: 3245-AG46 and submitted online through the Federal eRulemaking Portal <http://www.regulations.gov> or by mail.
- Comments submitted by mail or hand delivery/courier should be addressed to Carl Jordan, Office of Size Standards or Edsel Brown, Assistant Director, Office of Technology and sent to:
U.S. Small Business Administration
409 Third Street, SW
Washington, DC 20416
- **During the 60-day comment period, SBA conducted outreach sessions to explain the process and changes, and to solicit feedback from the small business community and other stakeholders.**
 - Included a 5/24/2012 webinar, and roundtables hosted by SBA’s Office of Advocacy.
- Comments were due by 7/16/2012.

Ref. 2: Sean Greene, SBA Associate Administrator for Investment and Special Advisor for Innovation, published 5/16/2012

<http://www.sba.gov/community/blogs/official-sba-news-and-views/open-business/implementing-sbir-and-sttr-reauthorizati-0>



Summary - Next Things to Watch For

- **Revised SBIR and STTR Policy Directives** will take effect when SBA publishes them (target was 180 days = end of June).
- **Revised size and eligibility regulations** will take effect when they are published (target = end of 2012).
- **Agency-Specific Developments and Implementations**
 - Commercialization Readiness Programs
 - Civilian Agencies – Pilot Programs
 - DoD Agencies – Readiness Programs
 - Technical Assistance for Awardees
 - Commercialization Success Criteria
 - (NIH only) Phase 0 Proof of Concept Partnership Pilot Program



For Additional Information on the Reauthorization, Policy Directives and Impacts

- Reauthorization Bill (H.R. 1540) – Available via
<http://thomas.loc.gov/home/thomas.php>
- SBIR and STTR Policy Directives
<http://www.sbir.gov/about/sbir-policy-directive> (SBIR)
<http://www.sbir.gov/about/sttr-policy-directive> (STTR)
- SBA Home Page
<http://www.sba.gov>
- Official SBA News Blog
<http://www.sba.gov/community/blogs/official-sba-news-and-views/open-for-business>
- Federal SBIR Official Website – All Agencies
<http://www.sbir.gov/>
- NASA SBIR Home Page
<http://sbir.nasa.gov/SBIR/SBIR.html>
- Small Business Act (Public Law 85-536, as amended)
<http://www.sba.gov/content/small-business-act>
- SBIR Gateway
<http://www.zyn.com/sbir/>



Note on NASA 2012 SBIR Solicitation Release Date

SMALL BUSINESS INNOVATION RESEARCH
SMALL BUSINESS TECHNOLOGY TRANSFER

+ Contact NASA

SEARCH
 + GO
+ Advanced Search

SolicitationsAwardsProgram InfoProcurement InfoHandbooksScheduleSuccesses

FAQsTechSourceCommercial Metric SurveyExecutive OrderTechnology MallArchivesSupport CallSite Map

+ IPP Home
- SBIR Home
+ FIRST TIME PARTICIPANTS
+ PROPOSERS
+ AWARDEES
+ NASA PARTICIPANTS
+ TECHNOLOGY CONSUMERS

NEWS
+ 2012 SBIR/STTR Solicitation Schedule
Tentatively Planned for September 4, 2012
+ STTR 2010 Phase II Selection Announcement
Announced on April 27, 2011 at 3:00 pm EDT
+ *The Concept* SBIR/STTR Newsletter
Spring 2012 Issue Now Available
+ SBIR 2010 Phase II Selection Announcement
Announced on December 19, 2011
+ TechSource - An easy way to search funded SBIR/STTR technologies
UPCOMING EVENTS
1st Annual ISS Research and Development Conference
Denver Marriot City Center, Denver, Colorado
Conference Flyer
June 26 - 28, 2012
National SBIR Fall 2012 Conference
Portland, OR
November 13 - 15, 2012

FEATURED SITES

Office of the Chief Technologist

2011 Solicitation



Establishing NASA SBIR Points of Contact

- We may communicate with companies about NASA/JPL needs, technical relevance, applications, technical subtopic details and clarifications, etc.
 - The one exception is the Blackout Period (from Solicitation Release through Phase I Awards Announcement).
- You are encouraged to contact us!
 - **If you do not already have NASA technical point(s) of contact, you can contact the SBIR Technology Infusion Manager (TIM) or the Field Center Program Manager at the desired Center(s).**
 - <http://sbir.nasa.gov/SBIR/pgminfo.htm>
 - We can provide you with relevant leads and points of contact.



JPL SBIR Points of Contact

- Indrani Graczyk – Commercial Program/ SBIR Program Manager
 - Indrani.Graczyk@jpl.nasa.gov
- Byron Jackson – Administration
 - Byron.L.Jackson@jpl.nasa.gov
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